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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

September 11, 2002

Marlene H. Dortch
Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: WT Docket 02-100, ex parte communication

Dear Ms. Dortch:

In previous ex parte communications dated August 30th and September 4th, on behalf of Anne Arundel County, I indicated that the County would be submitting when available a color map of County sites where CMRS interference to public safety radio has been detected and where mitigation efforts continue. Two copies of the map and an accompanying legend are enclosed.

The County also indicated it would supply certain dates for a fact sheet entered on the docket record by the LSGAC early in August 2002. The revised fact sheet is enclosed, also in two copies.

Please direct any questions to the undersigned.

No. of Copies rec'd 0+1
List ABCDE

Sincerely,

James R. Hobson

James R. Hobson
Counsel for Anne Arundel County

cc, with attachments: Sam Feder, Paul Margie, Peter Tenhula, Bryan Tramont, Gary Oshinsky

IN THE MATTER OF
FEDERAL PREEMPTION OF ANNE ARUNDEL COUNTY ORDINANCE
REGULATING RADIO FREQUENCY INTERFERENCE

WT 02-100

FACT SHEET SUBMITTED BY ANNE ARUNDEL COUNTY, MARYLAND

- Anne Arundel County began experiencing degradation of and interference with its public safety radio system as early as 1997.
- The County began working with the manufacturer of its public safety radios, Motorola to address the problem.
- Motorola and the County also contacted the FCC about the problem.
- In February of 1999, the FCC's District Manager suggested that the County remedy the problem by purchasing the portable transceivers with units with better adjacent channel rejection specifications.
- The County continued to discuss the issue with Motorola and FCC representatives.
- In January of 2000, Anne Arundel County's Chief of Police, P. Thomas Shanahan, wrote to the Chairman of the FCC describing the increase of public safety radio "dead areas" since the proliferation of cellular towers and stating that the suggestion of the District Manager of the FCC could not be complied with because Motorola did not manufacture such portable transceivers. Chief Shanahan asked for further assistance.
- The County received no further assistance from the FCC.
- Since that time, more "dead areas" have been discovered. In December of 2001, testing had revealed 41 dead areas. Since that time, there have been as many as 61 dead areas identified. The dead areas are related to telecommunications facilities for cellular and other wireless services.
- This represents a crisis for the County's public safety system, and the health and welfare of the County's citizens, as well as its public safety employees, is at stake.
- The County has attempted to work with the telecommunications industry to remedy the problem. The first general meeting with all carriers present was in July of 2001.

- Some of the carriers have been cooperative and others less so. Some have been found not to be causing interference.

- Cooperation from carriers has included providing transmission information, assisting in site testing, reconfiguring antennas, changing power levels, installing filters, and engineering other methods to decrease interference.

- The County is also committed to improving its public safety radio system and is in the process of designing a new system. Information from the wireless industry concerning its facilities is necessary to allow the County to design and implement an effective system.

- The County is also pursuing other avenues to improve its system, including a channel swap with Nextel to put the County in a position on the frequency band to better avoid interference from cellular carriers.

- Testing revealed that Cingular was a major source of interference with and degradation of the County's system.

- The County approached Cingular, and, for quite some time, Cingular was not cooperative. From July to mid-November of 2001, Cingular would neither provide information needed to assess the situation nor cooperate with testing.

- Cingular has only reluctantly and slowly cooperated with the County in a limited fashion. County-wide testing began in October 2001 without the needed Cingular information.

- With knowledge of the County's ongoing interference problem, Cingular activated in November 2001 a system of switching its frequencies and power levels on a constant basis. Whatever the operational benefits for Cingular, this practice results in a greater risk of interference and has affected the County's ability to design and engineer its new radio system.

- The County's enactment of Bill 93-01 was in response to the crisis faced by the County's citizens and public safety employees, whose lives are placed in danger by the public safety employees' inability to communicate while in emergency situations.

- Bill 93-01 is a zoning ordinance and was a legitimate exercise of the County's power to preserve and protect the safety and well-being of its citizens through its zoning authority.

- The County continues to work with the carriers. On August 19, 2002, revisions to the ordinance liberalized setback requirements for additional placements on sites existing prior to 2002.

Anne Arundel County, Maryland
Current CMRS Interference Sites

Map Legend Definitions:

Resolved:
This means we identified who was causing the interference and they have resolved their contribution. This pertains to either the STX or the XTS receivers.

Interference:
This identifies a site that currently causes interference to the county's receivers and is pending investigation. The sites were categorized with priority and some are still pending a site visit.

Partial:
This identifies a site that has been partially mitigated. In general, this usually means that the XTS is operating reliably but the STX receiver is not. It also means that the carriers have essentially mitigated the problem to the best they can without having to de-activate their cell site. Only a new receiver and/or the installation of the new proposed county radio system will ultimately resolve the interference. In many cases, this pertains to the co-location of sites with Nextel and Cingular (A-Band). They can usually mitigate their own contributions but when both carriers are activated, the interaction of their frequencies creates excessive intermodulation interference that can only be resolved entirely from a more robust county radio system that provides stronger signal levels and/or the deployment of a less sensitive receiver to the intermod.

Identifed:
This means that we have identified the source of the interference and their engineers are working on a solution to their contribution. Once the modifications have taken place, the site is tested again for impact.

Anne Arundel County, MD
Current CMRS Interference Sites

Map Legend

Cingular

- Identified - 3
- Interference - 2
- Resolved - 6

Nextel

- Identified - 8
- Interference - 6
- Partial - 2
- Resolved - 23

Both

- Identified - 10
- Partial - 1
- Towers
- -75 dBm

Site Information

ID	Site Name	Latitude	Longitude	Elevation
1	Jessup	39:08:14.000 N	76:45:15.000 W	245.0
2	Solley	39:10:49.000 N	76:33:00.000 W	100
3	Broadcreek	38:58:49.000 N	76:34:01.000 W	100
4	Sudley	38:48:47.000 N	76:34:43.000 W	98.1
5	Millersville	39:05:58.000 N	76:37:22.000 W	98.4
6	Navy Base	38:58:44.000 N	76:27:16.000 W	0.0
7	North County Police Sta	39:12:31.800 N	76:38:25.700 W	146.3
8	Patuxent/Pinnacle4	39:01:47.310 N	76:44:24.370 W	138.7
9	Maryland City WT	38:05:30.300 N	76:46:38.500 W	256
10	Eastern Police	39:07:25.300 N	76:31:29.800 W	98.4

N W E S

2 0 2 4 6 8 10 Miles

Original